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Sent: Thursday, January 21, 2021 3:24 PM

To: Sarah Pleban <sarahpleban@hotmail.com>

Subject: Re: Current attacks on GALs

Daily Docket ltr re family court.pdf 9599K

 Tolu v. Reid et al_Redacted.pdf 2321K

Sarah: **Are you aware of the meeting that I am holding with leaders from the bar orgs re this?** Here is the email that I sent out to them last week. **They are all on board.** I don't want to get into a meeting with Elaine or anyone else involved in any lawsuits. Feel free to share this with the GALs that have responded and **all that you trust...** Might you be interested in joining the meeting? **(I just don't want to open this to everyone...)**

Hello all. As I or Judge Hemphill have told you, some concerning allegations about our domestic family court have been making their way on the internet. Lots of horrible charges against GALs, custody experts and judges, insinuating that such folks are on the take, making recommendations that are not in the best interest of the children involved, but rather, on the basis of cash payments. The source of these scurrilous claims is unclear. Could be one or a few jilted parents, upset about the courts' custody orders. I am attaching some passages from what is referred to as the "Daily Docket."

(See the first attachment and the Daily Dockets' passages below.)

As a judge who has presided over many family cases, I have had extensive personal experience with many of the GALs who have been brought into this web of lies. The ones that I know are great people and zealous advocates for their young clients. Some of them are now judges. Logic dictates that when I have seen the good work of a GAL, that person will be on my mind as a prospective candidate for another case. In many instances, it is hard to get new GALs involved because of the reluctance that we have in the unknown. **Indeed, it is not bad practice to appoint a limited number of attorneys as GALs.** In many instances, the parents' attorneys will agree on a GAL – and as the judge in those circumstances, I rarely questioned their request. The attorneys always want independent, diligent, responsible and compassionate GALs. Luckily for us in this County, we have plenty of good GALs who can be described in that fashion.

Hands down, the family court assignment is the most challenging: **very stressful circumstances with parties acting in ways that are far from their best. These are also understandably the most toxic cases. Many parents cannot accept that their behaviors could be the basis for their not getting the custody arrangements that they had desired. And when a custody expert and/or a GAL makes a recommendation that the other party gets more time and/or rights regarding their children, many people get unhinged, blaming everyone but themselves (including the judges who had the audacity to follow the aforementioned recommendations).**

Because **of the gossip printed in these dockets**, some former litigants have started reaching out (anonymously of course) to anyone who files a case in the Family Court. How they get information from these generally inaccessible files is unclear to me.) **They spread the garbage about certain GALs and experts to these litigants -- and some choose to believe what is being told to them.**

Eventually, at some point, a civil lawsuit was filed in this circuit. Please see the second attachment. The matter is pending before one of our circuit court judges. I have never spoken to him about this case or about the contents of the Daily Docket – and I do not plan to do so. As judges, we cannot comment to the public about litigation that is pending on our dockets. Further, we are not advised to comment to the public about the pending cases of other judges in our circuit. **That being said, Judge Hemphill and I thought that we could reach out to some leaders of the bar to discuss this problem. We want to be proactive in some way. The ability of anonymous trolls to harm people's reputations is very troublesome.** To be clear, I do not want to discuss with you the merits or the content of the pending lawsuit. We want to discuss **the drivel in these "Daily Dockets."**

We would like to meet with you via Zoom/WebEx in the near future to brainstorm. Late in the afternoon works best for us. Please let me know if you could meet at 4:00 next week (January 25 through January 29) or the following week (February 1 through 5). Please include anyone who you think would be helpful to the discussion from your bar organization.

Thanks so much. **I really appreciate any help you can offer.** Have a great, peaceful Inauguration Day! Mike B

Michael D. Burton
Presiding Judge

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